FOR MYSORE STATE

H.E.L.A **(1954) Department**

Rt **SERIES.**

G.O. No. Rt 225 Edn

Dated 24-6-54

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4

Despatch Abstract

Land Acquisition (South Kanara). Udipi Taluk - Kota Bhattu Village - Certain sites required for playground and for craft and hobby purposes for the Vivekananda High School, Kota. Notification under section 4(1) of the Land Acquisition Act - Published

R.C. 1.9356/54. Office of the Collector of South Kanara, Mangalore, Dated 3-4-54.

From

Sri A. Kumaraswamy Chettiar, I.A.S.,
Collector of South Kanara.

To

The Secretary to the Government,
Health, Education and L.A.Department,
Fort St.George, Madras-9.

(in duplicate)

LAND ACQUISITION -- (South Kanara) -- Kota Taluk Kotathattu village -S.Nos.198/2 (Part) 198/5F1 and 5F2 - School playground and for craft and hobby purposes -Viveka High School -Draft notification under section 4(1) of the Land Acquisition Act - Proposals -Submitted -Approval requested.

--:o:--

The Correspondent of the Kota Vidya Sangha has applied for the acquisition of S.Nos.198/2 198/5F1 and 5/F2 of Kotathat village, Udipi taluk, for a playground, as well for craft and hobby purposes for the Viveka High School, Kota. The total extent of the plots proposed to be acquired is 7.5 cents. The Kota Vidya Sangha is a registered body. Under rule 19(a) of the By laws of the Sangh, the Secretary has been empowered to carry out all the resolutions of the Sangh, which in its resolution dated 22.3.54 has resolved to acquire the lots referred to above. In its resolution dated 11.3.54 the Sangh has undertaken to admit students of all communities. The Sangh has also undertaken to abide by the conditions of acquisition and also the subsequent conditions of alienation. In his L.Dis.1031/53/J1 dated 23.9.54 the Divisional Inspector of Schools, Coimbatore, has recommended the acquisition of the plots. The plots do not contain any religious edifices such as temples, grave yards, etc. They are either arable or waste lands. The approximate cost of acquisition is estimated at Rs.[illegible]/- for thepayment of which Provision has been made in the Revised budget.

2.The acquisition of theplots is for a public purpose I therefore submit herewith in duplicate, a draft notification under section 4(1) of the Land Acquisition Act, which may be approved and ordered to be published in the Fort St.George Gazette.

3. The relevant copies of the resolution of the Sangh, and copies of the conditions of acquisition and alienation are enclosed for perusal. ✓ p3 mpm and p15 mpm ff 11-13 mpm

Yours faithfully

1/16

For Collector.

Copy to the Revenue Divisional Officer Coondapur.

6/1945.

ಹೊಸ ಹಾಲ್ಬಾಗಿಲು ಸಂಪ್ಗೆಯ ಕಾಯಂವಡಕಿರ ಹೊಳಲು ಚಾರಂಡಿಯ ಬಳಿಯಲ್ಲಿ

— x —

ದಿ. 22.2.54ರಲ್ಲಿ ಜರಿಗಿದ ಹೊಳಲು ವಿಚಾರ್ಣಿ ಸಂಪ್ಗೆಯ ಅಡ
ಕಿನ ಮಂಡಳಿಯ ಸಭೆಯಲ್ಲಿ ಕಾಲ ಅವಕಾಶವನ್ನು ಲಸಿ
ಅಳತೆಸ್ಗೆ ವಿಷಯ S.No. 198/571, 198/572 ಮತ್ತು 198/2,
ಪ್ರಕಾ ಸ್ಥಳಗಳನ್ನ ಪರಿಶೀಲನೆ ಮಾಡುವ ಬಗ್ಗೆ ಕೆಲವು ಸಭ್ಯರ ಸ್ಥಳ
ಸಂಪ್ಗೆಯ ಕಾಯಂವಡಕಿರಾಯರು ಮಾಡಿದ್ದು ಕೈಕೊಳ್ಳಲಿಲ್ಲ ಸಂಗ
ಗಾಗಿ ಅವಕಾಶವಿಲ್ಲವಾಯಿತು ಎಂದು ಅವರು ಮಂಜೆಯಿಂ ಕೊಟ್ಟ ಸಂಗ
ಡಿಗೆ ಹಿಳಿಸಿದಂತೆ ಅವರಿಂ ಅರ್ಜಿಯನ್ನು ಮಾಡಿಸಿಕೊಂಡ ಸಂಗ
ತಿಯಾದ ವಿಲ್ಲಪೆಂಬಾಡಿಯ Revenue Divisional
ಆಫೀಸಿಗೆ ಕಳಿಸಿಕೊಡಲಾಯಿತು ತಾ 3.4.1952ರಲ್ಲಿ ಜರಿಗಿ
ಅಳತೆಸ್ಗೆ ಸಮಯದಲ್ಲಿ ತೆಗೆದಿದ ನಿರ್ಣಯವನ್ನ ಸಮಂಜಸ
ವಿಂದ ಮಂಜೂರು ಮಾಡಿದೆ.

"ಸ್ಥಳ ಸಮೀಕ್ಷೆ ಪ್ರಕಾರ S.No. 198/571, 198/572
ಮತ್ತು 198/2ರ ಸ್ಥಳಗಳನ್ನ ಕಾಯಿದೆ ಅನುಸರಿಸಿ ಗಡಿಗಳನ್ನಿಗ
ಅಧಿಕಾರಿಗಳು ಗುರುತಿಸಿಕೊಡಬೇಕು"

for Collector
ಜಿಲ್ಲಾಧಿಕಾರಿಗಳ ಪರವಾಗಿ

ದ.ಕ. ಜಿಲ್ಲಾ ಜಮಾಬಂದಿಯವರ ಆಫೀಸು
ಮಂಗಳೂರು ತಾ
5/1954

(Jerox) copy of K.L.Kuranth Secretary Gokarna Vidya Sangha, Kota to the Revenue Divisional Officer,Kundapur.

As per bylaws of Kota Vidya Sangha herewith enclosed I am empowered to carry out all the resolutions of the Sangh.Still the managing committee of the Sangh in its meeting held on 22.2.54 passed the following resolution

ದಿ. 22.2.54ರಲ್ಲಿ ಜರಿಗಿದ ಆಡಳಿತ ಮಂಡಳಿಯ ಸಭೆಯಲ್ಲಿ ಕೆಳಗಿನ ಠರಾವನ್ನು ಅಂಗೀಕರಿಸಲಾಯಿತು ಅದರಂತೆ ಸರ್ವೆ ನಂ. 198/571, 198/572 ಮತ್ತು 198/2H ನೆಲೆಗಳನ್ನು ವಶಪಡಿಸಿಕೊಳ್ಳುವ ಬಗ್ಗೆ ಕೆಲವು ಕಾಗದಪತ್ರಗಳನ್ನು ಮಂಜೂರು ಮಾಡುವ ಕಾರ್ಯವನ್ನು ಕೈಗೊಳ್ಳಲು ತಮ್ಮಲ್ಲಿ ಅಪೇಕ್ಷಿಸಿದೆ.

ಈ ಮಾಹಿತಿಯನ್ನು ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಮಟ್ಟಿಗೆ ಅಗತ್ಯವಾದ ಕ್ರಮಕೈಗೊಳ್ಳಲು ಮತ್ತು ಇದಕ್ಕೆ ಅವಶ್ಯವಾದ ಜಮೀನನ್ನು ಸರಕಾರ ಖರೀದಿ ಮಾಡಿಕೊಡುವ ಬಗ್ಗೆ ಮೇಲ್ಕಂಡ ಸಂಸ್ಥೆಯ ಪರವಾಗಿ ಈ ಮಾಹಿತಿ ಸರಕಾರಕ್ಕೆ ಅರ್ಜಿ ಸಲ್ಲಿಸಿರುತ್ತದೆ. ಠರಾವಿನಂತೆ ಕಾರ್ಯಕೈಗೊಳ್ಳುವಲ್ಲಿ ಅವಶ್ಯ ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಕೋರಿದೆ.

The class war strength in Viveka High School is as follows: VI.Form 40 plus 3, V Form 52plus 4, IV form 59 plus 4 III form 60 plus 8, II form 37 plus 9 and I Form 43 plus 4

= 291 boys plus 32 girls.

The school has the following staff: one headmaster, three trained graduate teachers, two untrained graduates teachers, four secondary trained teachers, one Sanskrit cum Hindi Pandit, one drawing master and one Physical Training Instructor.

The school was recognised by the D.P.I. in his proceedings No.'59/52 dated 6.10.52 and other earlier proceedings.

For Collector.

S.Kanara Collector's Office, Mangalore, Dated 10-4-1954.

6/1948

FORM 2.

FORM OF NOTIFICATION TO BE ISSUED UNDER SECTION 4 OF THE LAND ACQUISITION ACT I OF 1894, AS AMENDED BY ACT XXXVIII OF 1923.

--:o:--

WHEREAS it appears to the Government that the land specified in the schedule below and situated in the No.5. Kotathatte village, Udipi taluk South Kanara district is needed for a public purpose, to wit, for a playground and for craft and hobby purposes notice to that effect is hereby given to all whom it may concern in accordance with the provisions of section 4(1) of the Land Acquisition Act I of 1894, as amended by the Land Acquisition Amendment Act XXXVIII of 1923; and the Governor of Madras hereby authorizes the Revenue Divisional Officer, Coondapur his staff and ~~peon~~ workmen to exercise the powers conferred by section 4(2) of the Act. Under Section 3(c) of the same act the Governor of Madras appoints the Revenue Divisional Officer, Coondapur to perform the functions of a Collector under section 5-A of the Act.

SCHEDULE

District: South Kanara.

Taluk: Udipi.

Village: No.5-Kotathattu

Description of land: wet or dry inam or poramboke with survey or puimash No.

S. No.138/2(Part)Ryotwari dry measuring (0.62)acre belonging to Srimathi Mahalaxmiamma

S. No.138/5F1 Ryotwari, dry measuring (0.74) acre belonging to Sri Balarama Nande.

S. No.138/5F2 Ryotwari Wet III measuring 0.84)acre belonging to Sri Thimmappa Urala.

S.Kanara Collector's Office,)
Mangalore dated 10-4-1954.)

FOR COLLECTOR.

C O N D I T I O N S

1. Kala Vidya Sangha is prepared to abide by the various conditions that may be imposed by the Government.

2. The Sangha is prepared to bear the cost of the petition and any other cost that may be fixed by the Government.

3. The land should be used for the purpose for which it has been applied for and for no other purpose, without the sanction of the Government.

4. The land should be used within a period of 3 years from the date of handing over the land.

5. The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no ~~conditions of the~~ compensation shall be payable for improvements that may have been effected or other works that may have been executed on the land by the grantee and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant. If there are buildings on the land the Government may direct the grantee to remove them and if the grantee refuses to remove them when so directed the Government or any officer empowered by them in this behalf shall have the right to remove the buildings and realise the cost of such removal by the sale of materials.

6. The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government the land is required for public purposes or for conducting mining operations. In the event of such resumption or in the event of acquisition of the land for any reasons the compensation payable for the land ~~for any reasons the compensation payable for the land~~ and trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less, and the compensation payable for the buildings or other improvements shall in no case exceed the amount paid for them by the grantee at the time of the acquisition of that value at the time of resumption, whichever may be less of any buildings - erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. If any grant made by the Government towards the cost of the buildings or other improvement shall be deducted from the compensation payable under this condition, but in no circumstances shall any compensation be paid by the Government in respect of any buildings constructed. In the event of the voluntary relinquishment of the land by the grantee no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee but the grantee shall be entitled to the repayment of any amount that may have been paid to the Government for the grant or the value of the land at the time of relinquishment whichever may be less.

7. Full land revenue shall be levied if at any time any part of the land derived from the land or if any of the conditions of the grant are infringed.

8. The Government reserve to themselves the right of all mahuli trees and their branches and roots which exist at the time of giving possession of the land to the grantee and the Government shall be at liberty to lop out and remove all trees or their roots and branches and remove them from the land and license the sale of them at their pleasure. The grantee shall not be entitled to cut or remove them or to be cut or removed without the permission of the Collector of the District.

10. The Kala Vidya Sangha shall take all reasonable measures to the satisfaction of the Collector of the District for the protection of the mahuli trees from theft or damage and for the growth of the immature trees growing on the land.

11. The Sangha shall take steps to see that the marks made by the officers of theGovernment ofn the sandalwood trees are preserved and are not tampered with.

12. In the event of the infringement or failure to observe any of the conditions 8 to 11 of the sangha shall pay to the Government such compensation as is determined by the Collector of the District for any loss or damage caused by such infringement or failure on its parts. The Government shall also be at liberty to resume the land and reenter on it and the whole land shall thereupon rests absolutely in the Government. In that case, the Sangha shall not be entitled to any compensation whatsoever.

13. Any other condition that may be imposed by the Collector.

True copy /

S.Kanara Collector's Office,
Mangalore, dated 10-4-1954.

For Collector.

...ta Vidya Sangha in its meeting held on 21.12.53 has agreed to abide by the conditions specified below :

1. The land shall be used for which it is required and for no other purpose.

2. The Government may resume the land wholly or in part, with any buildings thereon, if in their opinion, the land is required for a public purpose or for conducting mining operations. In the event of such resumption the compensation payable for the land and trees shall be the amount paid for them by the alienee at the time of the acquisition, including the 15% solatium, or the value at the time of resumption together with 15% thereof, whichever is lower. If there are buildings on the land the Government shall pay compensation for them in accordance with the provisions of condition (3).

3. In the event of the resumption of the land under condition (2), the compensation payable for the building and other improvements shall be the amount paid for them by the alienee at the time of acquisition including the 15% solatium or their value at the time of resumption by the Government, together with 15% thereof, whichever may be less, of any buildings erected and other improvements effected on the land by the alienee, in accordance with the terms of the alienation plus 15% of such cost or value.

Together with the initial cost or the value at the time of resumption whichever may be less.

4. In the event of the infringement of any condition of alienation or in the event of voluntary relinquishment of the land by the alienee, the Government may resume the land if it is required for a public purpose or the Government consider that it should be returned to the original owner. If the Government decide not to exercise this power and inform the alienee accordingly, the latter may dispense of the land in any manner he likes subject to his repaying to the Government the amount of any grant made by them towards the cost of the land and of the buildings or other improvements. In the event of their resumption of the land under this condition, the compensation payable to the alienee shall be the value of the land at the time of acquisition (less the 15% awarded for compulsory acquisition) or its value at the time of resumption, whichever may be less together with the value of buildings or other improvements at the time of resumption. If there are buildings on the land which the Government do not require the alienee shall remove at his cost. In the event of the grantee refusing the Government may remove them and realise the cost of the material by sale of the materials.

5. The amount of any grant made by the Government towards the cost of the land and of the buildings or other improvements shall be deducted from the compensation payable under conditions 2, 3 and 4.

Conditions of acquisition.

The Kota Vidya Sangha is agreeable to the following conditions of acquisition:

1. To contribute the cost of acquisition; (2) to pay enhanced compensation and interest thereon, if any, that might be awarded by the Court should the case be referred to it. 3. to use the land for the purpose for which it is required, and for no other purpose without the sanction of the Government. 4. to use the land for the purpose within a period of 2 years from the date of handing over the land. 5. to restore the land to the Government if the full amount of compensation awarded less the amount awarded for compulsory acquisition or of the value of the land at the time of resumption whichever may be less, in the event of the land not being used for the purpose for which the land is required, within the specified period of using the land without the sanction of the Government at any time for any purpose that may for which it is required.

Collector's Office,
Bangalore, dated 13-4-1954.

...Collector.

L/19452

17

H.E.L.A
(E2)

Land Acquisition - (South Kanara) - Udipi Taluk - Kotatha tu village - certain sites required for playground and for craft and hobby purposes for the Viveka High School, Kota - Notification under section 4(1) of the Land Acquisition Act - Published.

From the Collector of South Kanara,
Ref. B1. 9356/54 dt 10-4-54

Order/Rt No. 225 Edn. dated 24/6/54

The draft notification under section 4(1) of the Land Acquisition Act for the acquisition of certain sites required for playground and for craft and hobby purposes for the Viveka High School, Kota, South Kanara at is approved and forwarded to the Controller of Sty and Ptg, Madras, for publication in the Fort St. George Gazette.

2. A contribution of one anna is sanctioned from State funds towards the cost of the acquisition The expenditure should be debited to the head "3. Education - Secondary - g. Direct grants to non Government Secondary Schools - A. General - 3. Buildings - Voted".

3. A copy of The conditions subject to which the lands will be placed at the disposal of the

P.T.O

as approved by the Govt. to Communicated to the management, ~~for submission by~~ the Collector of South Kanara ~~as approached~~

26/4/54 27/4 28/4/54

To
The Colr of S. Kanara with a copy of the conditions
The Controller of Sty & Ptg. with a copy of the notfn. for publication in the F.S.G.G.
The Bd of Revenue
The D.P.I.
The A.G.

If I agreed with orders as in this letr.

Note: May be sent to Revenue for acceptance of the conditions subject to which the land is to be placed at the disposal of the management after acquisition

26/4/54 27/4 28/4/54 Rev

H/4/54 R

Cu

H.E.L.A U.O. No.
40165 E2/54-1 Edn
29/4/54.

Rev Dept

To A.S:

The draft conditions for placing the lands at the disposal of the ~~mana~~ management Vivekca Highschool. on pp 11-13 CF may be accepted in ~~the~~ present

2 The file may be returned

H.E.L.A
4.5.54 4.5.54

Are the conditions the same as those prescribed in G.O. for imposition in cases of acquisition of land on behalf of institutions

11/5/54

Transfer to A 2
1/10/54

UNDER SECRETARY TO GOVERNMENT
Received
11 MAY 1954
REVENUE DEPARTMENT

32298 A3
3/5

Two

ASSISTANT SECRETARY TO GOVERNMENT
Received
10 MAY 1954
REVENUE DEPARTMENT

10/5/54
10/5/54

To A.S.

'A' above:-The Collector has submitted sets of conditions --(1) conditions of acqui- and (2) conditions for placing the land /e disposal of the Institution. The conditions

pp 11-12 CF
pp 13 CF

19 I 2

on p.13 C.F. relate to the latter category. They have been checked with reference to the special condition mentioned in para 6(ii) of F.S.O.24. Necessary corrections have been indicated in pencil.

SS 11.6.54 PO 11.6.54

Thro' L — Read on 12.6.54 — 12/6/54

With reference to 'R' on p. 2 ante, the draft conditions for placing the lands at the disposal of the Management, Viveka High School ~~on p. 13 C.F.~~ may be accepted in this Dept. subject to the ~~as amended~~ pencil amendments made on p. 13 C.F. With the above remarks, the file may be returned to H.E.L.A.

Q 16/6

SS 12/6/54 TG

PO 16.6.54

Q 16/6

~~H.S.~~

Cmn 17/6/54

Rev no 10 32284/54-1
17.6.54

HELA

H.E.L.A (E2)

ADDL. DY. SECRETARY TO GOVT.
18 JUN 1954
61346
HEALTH, EDN. & LOCAL ADMIN. DEPTT.

T 17/6

The notes of Rev. above may be perused. The amendments suggested by them to the conditions for placing the land in question at the disposal of the management of the High School may be accepted. A copy of the conditions, as approved by the Govt, may be communicated to the Collr. The draft order on pp 1-2 ante has been suitably modified to provide for this. The draft order may now be issued.

SS 21/6/54. Q 21/6

The draft order on pp 1-2 ante may issue

B 22.6.54

Issue ~~P.S.S.~~

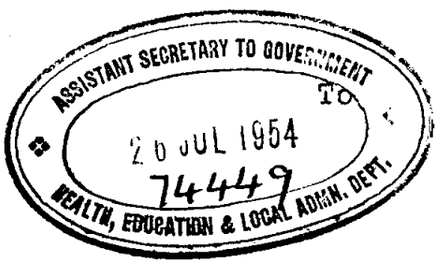
23/6/54

21

Ref.B1.9356/54. South Kanara Collector's Office,
Mangalore, dated 21--7--1954.

From

Sri V.Seetharama Seeval, B.A.,
Collector of South Kanara
M a n g a l o r e.



The Secretary to the Government,
Health, Education and Local Administration
Department,
Fort St.George,
Madras-9.

(in duplicate)

Sir,

LAND ACQUISITION -- (South Kanara) -- Udipi Taluk Kotathattu village -- Certain sites -- required for playground and for craft and lobby purposes for the Viveka High School, Kota -- Notification under Section 4(1) of the Land Acquisition Act -- Published -- Erratum issued.

--:o:--

Ref:-G.O.Rt.No.225 Education dated 24.6.1954.

--:o:--

The draft notification under section 4(1) of the Land Acquisition Act approved in the G.O.cited was published at page 338 -- part I-B of the Fort St.George Gazette dated 7.7.1954 as notification No.40. In the said notification some mistakes have been noticed as shown in the draft erratum which is enclosed in duplicate It may be approved and ordered to be published in the Fort St.George Gazette.

Yours faithfully

for Collector.

Copy to the Revenue Divisional Officer, Coondapur.

cr/22-7

Ref.B1.9356/54. South Kanara Collector's Office,
Mangalore, dated 21--7--1954.

From

Sri V.Seetharama Serval,B.A.,
Collector of South Kanara
M a n g a l o r e.

To

The Secretary to the Government,
Health, Education and Local Administration
Department,
Fort St.George,
Madras-9.

(in duplicate)

Sir,

LAND ACQUISITION -- (South Kanara) -- Udipi Taluk Kotathattu village -- Certain Sites -- required for playground and for craft and hobby purposes for the Viveka High School, Kota -- Notification under Section 4(1) of the Land Acquisition Act -- Published -- Erratum issued.

--:o:--

Ref:-G.O.Rt.No.225 Education dated 24.6.1954.

--:o:--

The draft notification undder section 4(1) of the Land Acquisition Act approved in the G.O.cited was published at page 338 -- part I-B of the Fort St.George Gazette dated 7.7.1954 as notification No.46. In the said notification some mistakes have been noticed as shown in the draft erratum which is enclosed in duplicate. It may be approved and ordered to be published in the Fort St.George Gazette.

Yours faithfully

22/7/54.

For Collector.

Copy to the Revenue Divisional Officer,Coondapur.

sr/22-7

...ISITION &c.

...under section 4(1) of the Land
Acquisition ... provided by the Land Acquisition
(... published at page ... Vol-I of
the ... Gazette ... dt. ...1964 in respect of the land
... for ... Crafts and ... purposes for the
... villages, ... Taluk
... Dist. ...

---

for ... land

1) ... dry ... 0.18/UF1
... to Kimmarya Vrala-
-0-... 0.04 acre.

2) ... Pyotwari dry- ... 0.18/UF2
... belonging to Kimmara Vande -
0.76 acre.

... for Collector.

H.F.L.A.Dept. (F.2).

27

Sub: LAND ACQUISITION - South Kanara - Udipi Taluk - Kotathattu village - Certain Sites required for playground and for craft and hobby purposes for the Viveka High School, Kota -Erratum to ~~draft~~ Notification under Section 4(1) of the Land Acquisition Act.

Read: G.O.Rt.No.225 Edn. d/24-6-1954.
From the Collector, S. Kanara, Ref.B.1.9356/54 d/21-7-1954.

Memo.No. 74449 E2/54-1 Edn. dated 4-8-54.

The draft erratum to the notification under Section 4(1) of the Land Acquisition ~~of the~~ Act for the acquisition of certain sites required for playground and for craft and hobby purposes for the Viveka High School, Kota, South Kanara Dt., is approved and forwarded to the C.S.P., Madras, for ~~xxxx~~ publication in the Fort St. George Gazette, Madras.

3.8.54

To The C.S.P., Madras,
(With a copy of the erratum for publication in the F.S.G.G.)
The Collector, S. Kanara.
The Bd. of Rev.
S.Cs.

31/7/54

P.T.O.

25
28

NOTE: The draft erratum submitted by the Collector South Kanara, may be approved and forwarded to the G.S.P. for publication in the Fort St. George Gazette. The draft overleaf is for approval. After issue the papers may be filed with G.O. Rt. No.225 Edn. dated 24-6-54.

(S)/M-17-8

3.8.54

M. Seey